

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

KARL A. BREMILST
ROBYN R. BREMILST,
Debtors.

Chapter 13
Case No. 15-12149-JNF

STIPULATION REGARDING MOTION FOR RELIEF FROM AUTOMATIC STAY
AND FOR AUTHORITY TO FORECLOSE MORTGAGE
(Hearing scheduled for May 20, 2016 at 9:30 a.m.)

NOW COMES Nationstar Mortgage LLC (hereinafter “Nationstar”) and Karl A. Bremilst and Robyn R. Bremilst, debtors in the above captioned case (hereinafter “Debtors”), by and through respective counsels, and hereby stipulate and agree as follows:

WHEREAS, the Debtors filed a voluntary Chapter 13 bankruptcy on May 29, 2015.

WHEREAS, Debtors are the co-owners of real property known and numbered as 147 Barker Road, East Wareham (Wareham), Massachusetts 02538 (hereinafter “Property”).

WHEREAS, Nationstar is the current holder of a first mortgage covering Debtors’ Property, given by Debtor Karl A. Bremilst to Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Aegis Wholesale Corporation dated October 14, 2005 and registered with the Plymouth County Registry District of the Land Court as Document No. 595179 as noted on Certificate of Title No. 110106 (hereinafter the “Mortgage”). The Mortgage was assigned to Nationstar via Assignment of Mortgage registered with said Registry District of the Land Court as Document No. 696274 as noted on Certificate of Title No. 110106.

WHEREAS, Nationstar moved for Relief from the Automatic Stay on March 18, 2016 based, in part, upon Debtor Karl A. Bremilst’s failure to make post-petition payments to Nationstar. A hearing on the Motion for Relief is presently scheduled for May 20, 2016 at 9:30 a.m.

WHEREAS, Debtors are in post-petition arrears to Nationstar in the amount of \$4,215.44, which is comprised as follows:

3 monthly payments (03/01/2016-05/01/2016) at \$1,165.85	\$3,497.55
Motion for Relief Legal Fees and Costs	\$1,076.00
Less Partial Balance	(\$ 358.11)
Total Post-Petition Arrearage	\$ 4,215.44

NOW, upon all pleadings and proceedings heretofore had herein, and the parties having stipulated to the following:

1. That commencing June 1, 2016, and on or before the 1st day every month thereafter until November 1, 2016, Debtors shall make regular monthly payments when and as due under the terms of the Note and Mortgage.
2. That commencing June 1, 2016, and on or before the 1st day of each month thereafter (through and including October 1, 2016), Debtors shall make an "arrearage payment" of \$702.57 over and above the regular monthly payment to Nationstar continuing for a period of five (5) consecutive months. On or before November 1, 2016, the Debtors shall make a final "arrearage payment" of \$702.59 to Nationstar, such that the post-petition arrearage of \$4,215.44 shall be paid in full, provided this paragraph is fully complied with.

3. IF THE DEBTORS FAIL TO COMPLY WITH PARAGRAPHS ONE AND/OR TWO OF THIS STIPULATION, NATIONSTAR SHALL FILE AN AFFIDAVIT OF NON-COMPLIANCE AFTER TEN (10) DAYS NOTICE OF DEFAULT TO THE DEBTORS AND THE DEBTORS' ATTORNEY, BY FIRST CLASS POSTAGE PREPAID MAIL. THE DEBTORS HAVE THE RIGHT TO OBJECT TO THE AFFIDAVIT OF NON-COMPLIANCE ONLY ON THE BASIS THAT THE PAYMENTS WERE MADE TIMELY UNDER THE STIPULATION. ALL REASONABLE COSTS ASSOCIATED WITH THE PREPARATION OF THE NOTICE OF DEFAULT AND THE AFFIDAVIT OF NON-COMPLIANCE WILL BE CHARGED TO THE DEBTORS' ACCOUNT.

STIPULATED AND AGREED TO THIS 13th DAY OF May, 2016.

Respectfully submitted,

Nationstar Mortgage LLC

By Its Attorneys

Guaetta & Benson, LLC

Respectfully submitted,

Karl A. Bremilst
Robyn R. Bremilst

By their Attorney

Smeloff & Associates

/s/ Peter V. Guaetta

Peter V. Guaetta, Esq.

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CERTIFICATE OF SERVICE

I, Peter V. Guaetta, Esq., as Attorney for Nationstar Mortgage LLC hereby certify that I have this date served copies of the foregoing Stipulation regarding Motion for Relief from Automatic Stay and for Authority to Foreclose Mortgage in reference to the above-captioned case, by mailing same first class, postage prepaid (unless otherwise noted), upon the following parties:

Debtors

Karl A. Bremilst
147 Barker Road
East Wareham, MA 02538

Robyn R. Bremilst
147 Barker Road
East Wareham, MA 02538

Counsel for Debtors

Richard D. Smeloff, Esq. (VIA ECF)

Trustee

Carolyn Bankowski, Esq. (VIA ECF)

Assistant U.S. Trustee

John Fitzgerald, Esq. (VIA ECF)

Real Time Resolutions, Inc.
1349 Empire Central Drive, Suite #150
Dallas, Texas 75247-4029

The Bank of New York Mellon
f/k/a The Bank of New York, as Trustee
1349 Empire Central Drive, Suite 150
Dallas, TX 75247

Town of Wareham
Office of Tax Collector
54 Marion Road
Wareham, MA 02571

DATED: May 13, 2016

/s/ Peter V. Guaetta
Peter V. Guaetta, Esq. (BBO# 554786)